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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,554	09/09/2003	Joshua Susser	P-3709CNT	3094
24209 7590 10/27/2008 GUNNISON MCKAY & HODGSON, LLP 1900 GARDEN ROAD SUITE 220 MONTEREY, CA 93940				
EXAMINER				
POLTORAK, PIOTR				
ART UNIT		PAPER NUMBER		
2434				
MAIL DATE		DELIVERY MODE		
10/27/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/659,554

Applicant(s)

SUSSER ET AL.

Examiner

PETER POLTORAK

Art Unit

2434

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2008.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 30-51, 53 and 57 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 30-51, 53 and 57 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

1. Applicant amendment received on 7/07/08 has been entered

Response to Arguments

2. Applicant's arguments have been fully considered but they are not persuasive.

In the Remarks applicant essentially argues the newly introduced limitations. In particular applicant alleges no small footprint device and no entry point object, separate from a context barrier, in Bishof's invention.

The examiner points out that a particular entity (e.g. as disclosed in Fig. 1) implementing Bishof's security mechanism to protect its resources equates to a small footprint device.

Also, a gate in a java sandbox equates to an entry points object for direct access to information (see pg. 5 lines 26-27). Note, that the sandbox is "a playground to which Java applets are confined and applets execution environment is delineated by borders with defined gates (entry and exit points)". Thus, a gate taught by Bishof, permits direct access to information from one program module of at least two program modules, in one of separate context, by another program module of said at least two program modules, in another of said separate context, across context barrier.

3. Claims 30-51, 53, and 57 have been examined.
4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

5. Claims 30-51, 53, and 57 remain rejected under 35 U.S.C. 102(a) as being anticipated by WIPO Patent Publication No. WO98/32073 to Bischof et al.

As per claims 30, 43, 47, 51, 53, and 57, Bischof discloses the creation and use of guard objects (context barriers) for processing invocations of a context's entry point (see p. 5, lines 26-28) before those contexts are instantiated in response to object requests (see p. 10, lines 10-33). Since execution continues as usual if the guard does not indicate an error (preventing or not preventing access), the context inherently has one or more program modules with executable instructions (see p. 11, lines 1-25). Each context has protected object definitions (see p. 8, lines 11-19). Since it is a computer implementation, there are inherently a processing element and memory for the invention. There are inherently at least zero data definitions. The contexts are in the JVM "sandbox," apart from the remainder of the operating system (see p. 4, lines 14-19; p. 5, lines 22-24; and p. 19, lines 12-20).

Additionally, as per newly introduced limitations a particular entity (e.g. as disclosed in Fig. 1) implementing Bischof's security mechanism to protect its resources equates to a small footprint device.

Also, a gate in a java sandbox equates to an entry points object for direct access to information (see pg. 5 lines 26-27). Note, that the sandbox is "a playground to which

Java applets are confined and applets execution environment is delineated by borders with defined gates (entry and exit points)". Thus, a gate taught by Bishof, permits direct access to information from one program module of at least two program modules, in one of separate context, by another program module of said at least two program modules, in another of said separate context, across context barrier.

As per claims 31 and 32, each program module has a name space (see p. 15, line 8 to p. 16, line 15); any name space can access the entry points of any other object, if permitted.

As per claims 33 and 34, each name space having executable code must have memory to which it can be instantiated i.e. a separate memory space (see p. 19, lines 12-28).

As per claims 35 and 38, the entry to be filtered at the guard may be a principal, object, or action, according to the method being invoked (see p. 21, lines 1-9).

As per claim 36, a security check may be at least a partial name agreement (see p. 15, lines 8-22).

As per claims 37 and 39, programs within a context need not go through the security check for an access.

As per claims 40, 41, 44, 45, 48, and 49, the name of the object and other attributes are stored in the header to the generally-inaccessible guard dispatch table (see p. 19, line 30 to p. 20, line 23).

Regarding claim 42, 46, and 50, any memory large enough to store a set of name spaces is inherently partitioned into smaller memory spaces, which are in a determinable storage space.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PETER POLTORAK, whose telephone number is (571) 272-3834. The examiner can normally be reached on Monday-Friday from 8:30 AM - 4:30 PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand, can be reached at (571) 272-3811.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Art Unit: 2434

Or faxed to:

(571) 273-3800

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Peter Poltorak/

Examiner, Art Unit 2434

/Kambiz Zand/

Supervisory Patent Examiner, Art Unit 2434